

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ANTHONY SAMPSON,

Petitioner,

v.

Case Number 11-15339

Honorable David M. Lawson

Magistrate Judge Paul J. Komives

STEVEN RIVARD,

Respondent.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION DISMISSING PETITION FOR HABEAS CORPUS**

Presently before the Court is the report issued on April 12, 2013 by Magistrate Judge Paul J. Komives pursuant to 28 U.S.C. § 636(b), recommending that this Court dismiss the petitioner's petition for a writ of habeas corpus. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [dkt. #11] is **ADOPTED**.

It is further **ORDERED** that the petition for a writ of habeas corpus [dkt. #1] is **DISMISSED**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: May 13, 2013

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 13, 2013.

s/Shawntel Jackson  
SHAWNTEL JACKSON